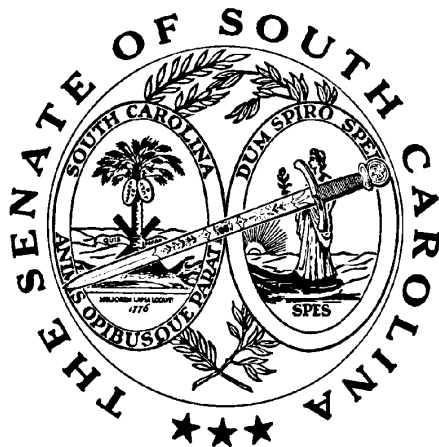


NO. 35

**JOURNAL**  
**OF THE**  
**SENATE**  
**OF THE**  
**STATE OF SOUTH CAROLINA**



**REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2009**

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**THURSDAY, MARCH 19, 2009**

**Thursday, March 19, 2009**  
**(Statewide Session)**

~~Indicates Matter Stricken~~  
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator LOURIE. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

**INTRODUCTION OF BILLS AND RESOLUTIONS**

S. 594 -- Senator Leatherman: A BILL TO AMEND SECTION 59-147-30 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF REVENUE BONDS UNDER THE PROVISIONS OF THE HIGHER EDUCATION REVENUE BOND ACT, TO CLARIFY THOSE ELIGIBLE FACILITIES WHICH MAY BE FINANCED UNDER THE ACT; AND TO REPEAL SECTION 59-147-120 RELATING TO LIMITATIONS ON THE ISSUANCE OF CERTAIN REVENUE BONDS.

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Read the first time and referred to the Committee on Finance.

S. 595 -- Senator McConnell: A BILL TO AMEND SECTION 59-43-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWERS OF THE STATE BOARD OF EDUCATION, SO AS TO PROVIDE THAT THE REGULATIONS CONCERNING APPLICATION FOR THE GENERAL EDUCATION DEVELOPMENT (GED) DIPLOMA ALLOW CANDIDATES TO BE SIXTEEN YEARS OF AGE OR OLDER.

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Read the first time and referred to the Committee on Education.

**REPORTS OF STANDING COMMITTEES**

Senator from the Committee on Finance submitted a favorable report on:

S. 388 -- Senator Leatherman: A JOINT RESOLUTION TO DIRECT THE STATE TREASURER'S OFFICE TO PROVIDE FINANCING ARRANGEMENTS THROUGH THE MASTER LEASE PROGRAM FOR ANY AGENCY THAT HAS NOT PAID IN FULL FOR ITS SOUTH CAROLINA ENTERPRISE

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INFORMATION SYSTEM (SCEIS) IMPLEMENTATION COSTS AND HAS NOT UTILIZED THE AGENCY'S SET-ASIDE ACCOUNT TO MEET ITS OBLIGATIONS, TO PROVIDE THAT THE AMOUNTS AND TIMING OF LEASE PAYMENTS BY AN AGENCY SHALL BE DETERMINED BY THE STATE TREASURER'S OFFICE IN COOPERATION WITH THE SCEIS EXECUTIVE OVERSIGHT COMMITTEE, TO REQUIRE AN AGENCY TO MEET ALL OF ITS SCEIS FINANCIAL OBLIGATIONS, AND TO PROVIDE WHEN AN AGENCY MAY WITHDRAW FUNDS FROM ITS SCEIS SET-ASIDE ACCOUNT.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

S. 517 -- Senators Davis, Bright, Shoopman, Ryberg, Bryant, Mulvaney, Fair, Peeler and Rose: A JOINT RESOLUTION TO PROVIDE THAT NO STATE AGENCY, DEPARTMENT, OR ENTITY, BY REGULATION OR OTHERWISE, MAY ADMINISTRATIVELY INCREASE OR IMPLEMENT A FEE FOR PERFORMING A SERVICE OR FUNCTION, OR A CIVIL PENALTY OR FINE FOR FAILURE TO COMPLY WITH A REQUIREMENT OR PROVISION OF LAW UNDER ITS JURISDICTION WITHOUT THE SPECIFIC APPROVAL OF THE INCREASE OR NEW FEE, FINE, OR PENALTY BY THE GENERAL ASSEMBLY BY CONCURRENT RESOLUTION; TO PROVIDE THAT APPROVAL BY THE GENERAL ASSEMBLY BY JOINT RESOLUTION OF A REGULATION OF A STATE AGENCY OR DEPARTMENT UNDER THE ADMINISTRATIVE PROCEDURES ACT WHEREIN A FEE, FINE, OR PENALTY INCREASE OR IMPOSITION IS CONTAINED DOES NOT CONSTITUTE APPROVAL UNDER THE REQUIREMENTS OF THIS SECTION, AND IF AN INCREASE OR IMPLEMENTATION IS CONTAINED IN THAT JOINT RESOLUTION, THE INCREASE OR IMPLEMENTATION IS NULL AND VOID; TO PROVIDE CERTAIN EXCEPTIONS; AND TO PROVIDE FOR THE DURATION OF THIS PROVISION

Ordered for consideration tomorrow.

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Senator LEATHERMAN from the Committee on Finance submitted a favorable report on:

S. 588 -- Senators Peeler, Setzler, Hayes and Matthews: A JOINT RESOLUTION TO EXTEND THE DATE BY WHICH A SCHOOL DISTRICT MUST DECIDE WHETHER TO EMPLOY A TEACHER FOR THE 2009-2010 SCHOOL YEAR FROM APRIL FIFTEENTH TO MAY FIFTEENTH AND TO PROVIDE THAT A TEACHER HAS TEN DAYS FOLLOWING RECEIPT OF WRITTEN NOTIFICATION OF AN OFFER TO ACCEPT THE CONTRACT, AND TO PROVIDE THAT A SCHOOL DISTRICT MAY UNIFORMLY NEGOTIATE SALARIES BELOW THE SCHOOL DISTRICT SALARY SCHEDULE FOR THE 2009-2010 SCHOOL YEAR FOR RETIRED TEACHERS WHO ARE NOT PARTICIPANTS IN THE TEACHER AND EMPLOYEE RETENTION INCENTIVE PROGRAM.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

H. 3352 -- Reps. Cooper, Owens, Stewart, Whitmire, Funderburk, Rice, Wylie, Allison, E.H. Pitts, R.L. Brown, White, Stavrinakis, Miller, Anderson, Battle, Hayes, Gilliard, Sottile, Mack, Harvin, Whipper, Hutto, G.R. Smith, Knight, Willis, Neilson, T.R. Young, Cobb-Hunter, J.H. Neal, Clyburn, G.M. Smith, Kennedy, Herbkersman, Merrill, Bingham, Ott, J.R. Smith, A.D. Young, Kirsh, Lucas, Littlejohn, Edge, Limehouse, M.A. Pitts, Loftis, D.C. Smith, Pinson, Barfield, Bannister, Dillard, Stringer, Allen, Nanney, Govan, Parker, Frye, Hardwick, Hearn, J.E. Smith, Clemmons, Agnew, Bedingfield, Williams, Vick, Horne, Bales and Umphlett: A JOINT RESOLUTION TO ALLOW LOCAL SCHOOL DISTRICTS AND SPECIAL SCHOOLS TO TRANSFER FUNDS AMONG APPROPRIATED REVENUES IN ORDER TO ENSURE THE DELIVERY OF ACADEMIC AND ARTS INSTRUCTION DURING THE 2008-2009 AND 2009-2010 FISCAL YEARS; TO ALLOW SCHOOL DISTRICTS FOR FISCAL YEARS 2008-2009 AND 2009-2010 TO SUSPEND CERTAIN PROFESSIONAL STAFFING RATIOS, TO TRANSFER FUNDS, TO DELAY THE DATE THAT TEACHER CONTRACTS ARE ISSUED, AND TO NEGOTIATE SALARIES FOR RETIRED AND TERE TEACHERS BELOW MINIMUM SALARY REQUIREMENTS; TO ALLOW SCHOOL

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DISTRICTS FOR THE 2008-2009 AND 2009-2010 FISCAL YEARS TO FURLOUGH TEACHERS AND SCHOOL AND DISTRICT ADMINISTRATORS UPON CERTAIN CONDITIONS; TO PROVIDE CERTIFICATION AND REPORTING REQUIREMENTS; TO SUSPEND CERTAIN FORMATIVE ASSESSMENTS AND TO ALLOW SCHOOL DISTRICTS TO PURCHASE THE MOST ECONOMICAL TYPE OF BUS FUEL FOR THE 2008-2009 AND 2009-2010 FISCAL YEARS.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

H. 3378 -- Rep. Cooper: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-11-192 SO AS TO PROVIDE FOR THE TERMS AND CONDITIONS OF MANDATORY STATE AGENCY FURLOUGH PROGRAMS AND TO DELETE THE PROVISIONS OF PARAGRAPH 89.120, PART IB, OF ACT 310 OF 2008, RELATING TO STATE AGENCY FURLOUGHS.

Ordered for consideration tomorrow.

#### **ADJOURNMENT**

At 11:46 A.M., on motion of Senator SCOTT, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

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